



16th December, 1799.

Read the first and second time, and committed to a Committee of the whole House, on Thursday next.

A Bill

Providing for the enumeration of the inhabitants
of the United States.

1 SEC. 1. **B**E it enacted by the Senate and House of Representatives of
2 the United States of America, in Congress Assembled, That the marshals
3 of the several districts of the United States, and the secretaries of the
4 territory of the United States, North-West of the river Ohio, and of
5 the Mississippi territory, respectively, shall be, and they are hereby au-
6 thorised and required, under the direction of the Secretary of State,
7 and according to such instructions as he shall give, pursuant to this act,
8 to cause the number of the inhabitants within their respective districts
9 and territories to be taken; omitting in such enumeration, Indians not
10 taxed, and distinguishing free persons, including those bound to service
11 for a term of years from all others; distinguishing also the sexes and colours
12 of free persons, and the free males of sixteen years and upwards, from
13 those under that age; for effecting which purpose, the marshals and se-
14 cretaries aforesaid, shall have power to appoint as many assistants within
15 their respective districts and territories, as aforesaid, as to them shall ap-
16 pear necessary; assigning to each assistant a certain division of his dis-
17 trict or territory;—which division shall consist of one or more counties,

18 cities, towns, townships, hundreds or parishes, or of a territory plain-
 19 ly and distinctly bounded by water courses, mountains, or public roads:
 20 The marshals, or secretaries, as the case may be, and their assistants,
 21 shall, respectively, take an oath or affirmation, before some judge, or
 22 justice of the peace, resident within their respective districts or territo-
 23 ries, previous to their entering on the discharge of the duties by this act
 24 required—The oath or affirmation of the marshal or secretary, shall
 25 be.—, I, A. B. marshal of the district of
 26 or secretary of the territory of (as the case may be)
 27 do solemnly swear or affirm, that I will, well and truly, cause to be
 28 made, a just and perfect enumeration and description of all persons re-
 29 sident within my district or territory, and return the same to the Pre-
 30 sident of the United States, agreeably to the directions of an act of
 31 Congress, intituled “An act providing for the enumeration of the
 32 inhabitants of the United States” according to the best of my ability.”
 33 The oath or affirmation of an assistant shall be,—, I, A. B. do solemnly
 34 swear (or affirm) that I will make a just and perfect enumeration and
 35 description of all persons resident within the division assigned to me by
 36 the marshal of the district of or the secretary of
 37 the territory of (as the case may be)
 38 and make due return thereof to the said marshal, or secretary, agreea-
 39 bly to the directions of an act of Congress, intituled “An act providing
 40 “for the enumeration of the inhabitants of the United States,” accor-
 41 “ding to the best of my abilities.” The enumeration shall commence
 42 on the first Monday of next, and shall close withi-
 43 months thereafter.
 44 The several assistants shall, within the said months trans-
 45 mit to the marshal or secretaries, by whom they shall be, respectively

46 appointed, accurate returns of all persons, except Indians not taxed
 47 within their respective divisions, which returns shall be made in a Sche-
 48 dule, distinguishing in each county, parish, township, town or city, the
 49 several families, by the names of their master, mistress, steward, over-
 50 seer or other principal person therein, in the manner following,

51 *That is to say:—*

52 The number of persons within my division, consisting of

53 appears in a Schedule hereto annexed, subscribed by me,

54 this day of

55 A. B. *assistant to the marshal of*

56 *or to the secretary of*

SCHEDULE of the whole number of persons within the division allotted to A. B.

Names of head of families—& number of fa- milies.	Free white males of sixteen years and upwards, includ- ing heads of fami- lies.	Free white males under sixteen years	Free white females, in- cluding heads of families.	All other free persons, ex- cept Indian, not taxed.	Slaves.
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1 SEC. 2. *And be it further enacted*, That every assistant, failing to
 2 make return, or making a false return of the enumeration, to the mar-
 3 shal, or the secretary (as the case may be) within the time by this act li-
 4 mited, shall forfeit the sum of

1 SECT. 3. *And be it further enacted*, That the marshal and secretaries
 2 shall file the several returns aforesaid, with the clerks of their respective
 3 district or superior courts (as the case may be) who are hereby directed
 4 to receive and carefully preserve the same: And the marshals or secre-
 5 taries, respectively, shall, on or before the first day of

6 One thousand transmit to the President of
 7 the United States, the aggregate amount of each description of persons
 8 within their respective districts or territories. And every marshal or
 9 secretary failing to file the returns of his assistants, or any of them, with

the clerks of their respective courts as aforesaid, or failing to return the aggregate amount of each description of persons in their respective districts or territories, as the same shall appear from said returns, to the President of the United States, within the time limited by this act, shall, for every such offence, forfeit the sum of eight hundred dollars; all which forfeitures shall be recoverable in the courts of the districts or territories where the offences shall be committed, or in the circuit courts to be held within the same, by action of debt, information, or indictment; the one half thereof to the use of the United States, and the other half to the informer; but where the prosecution shall be first instituted on behalf of the United States, the whole shall accrue to their use.— And for the more effectual discovery of offences, the judges of the several district courts in the several districts, and of the supreme courts in the territories of the United States, as aforesaid, at their next sessions, to be held after the expiration of the time allowed for making the returns of the enumeration hereby directed, to the President of the United States, shall give this act in charge to the grand juries, in their respective courts, and shall cause the returns of the several assistants to be laid before them for their inspection.

SEC. 4. *And be it further enacted*, That every assistant shall receive at the rate of one dollar for every hundred persons by him returned, where such persons reside in the country, and where such persons reside in a city or town, containing more than three thousand persons, such assistant shall receive at the rate of one dollar for every three hundred persons, but where, from the dispersed situation of the inhabitants in some divisions, one dollar for every one hundred persons, shall be insufficient, the marshals or secretaries, with the approbation of the judges of their respective districts or territories, may make such further

allowance to the assistants in such divisions, as shall be deemed an adequate compensation : *Provided*, the same does not exceed one dollar for every fifty persons by them returned. The several marshals and secretaries shall receive *as follows* :—

The marshal of the district of Maine, dollars;

The marshal of the district of New-Hampshire,
dollars;

The marshal of the district of Massachusetts,
dollars;

The marshal of the district of Rhode-Island;
dollars;

The marshal of the district of Connecticut, dollars;

The marshal of the district of Vermont, dollars;

The marshal of the district of New-York, dollars;

The marshal of the district of New-Jersey, dollars;

The marshal of the district of Pennsylvania, dollars;

The marshal of the district of Delaware, dollars;

The marshal of the district of Maryland, dollars;

The marshal of the district of Virginia, dollars;

The marshal of the district of Kentucky, dollars;

The marshal of the district of North-Carolina, dollars;

The marshal of the district of South-Carolina, dollars;

The marshal of the district of Georgia, dollars;

The marshal of the district of Tennessee, dollars;

The secretary of the territory of the United States, North-West of
the Ohio, dollars;

The secretary of the Mississippi territory, dollars;

SEC. 5. *And be it further enacted*, That every person whose usual

place of abode shall be in any family, on the aforesaid first Monday in
 next, shall be returned as of such family, and the name of
 every person who shall be an inhabitant of any district or territory, but
 without a settled place of residence, shall be inserted in the column of
 the aforesaid Schedule, which is allotted for the heads of families, in
 that division where he or she shall be, on the said first Monday in
 next; and every person occasionally absent at the time of the enu-
 meration, as belonging to that place in which he usually resides, in the
 United States.

SEC. 6. *And be it further enacted*, That each and every person, more
 than sixteen years of age, whether heads of families or not, belonging
 to any family within any division, district, or territory, made or esta-
 blished within the United States, shall be, and hereby is obliged to ren-
 der to such assistant of the division, a true account, if required, to the
 best of his or her knowledge, of all and every person belonging to such
 family, respectively, according to the several descriptions aforesaid, on
 pain of forfeiting, dollars, to be sued for, and reco-
 vered by such assistant; the one half for his own use, and the other half
 to the use of the United States.

SEC. 7. *And be it further enacted*, That each assistant shall, previous
 to making his returns to the marshal or secretary, (as the case may be)
 cause a correct copy, signed by himself, of the Schedule containing the
 number of inhabitants within his division, to be set up at two of the most
 public places within the same, there to remain, for the inspection of all
 concerned; for each of which copies the said assistant shall be entitled to
 receive two dollars: *Provided* proof of the Schedule having been so set
 up, and suffered to remain, shall be transmitted to the marshal, or secre-
 tary, (as the case may be) with the return of the number of the persons,

10 and in case any assistants shall fail to make such proof to the marshal, or
11 secretary, as aforesaid, he shall forfeit the compensation by this act al-
11 lowed him.

1 SEC. 8. *And be it further enacted,* That the Secretary of State shall
2 be, and hereby is authorized and required to adopt and communicate to
3 the marshals of the several states, and to the secretaries aforesaid, pro-
4 per regulations and instructions for carrying this act into effect; and al-
5 so the forms of Schedule to be returneds, and interrogatories to be ad-
6 ministered by the several persons who shall be employed therein.